

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
SNC Timber Grove Road and Kingsbury Road
1042 Kingsbury Road
4th Election District
3rd Councilmanic District
Joseph Peter Romano
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-26-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a front average of 24 ft. (addition) in lieu of the required 40.5 ft., as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section

307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22nd day of August, 1991 that the Petition for a Zoning Variance from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a front average of 24 ft. (addition) in lieu of the required 40.5 ft., in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH/mnn

ORDER RECEIVED FOR FILING
Date 8/22/91
By J. Robert Haines

-2-

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 303.1 to allow a front average of 24' in lieu of the required 40.5'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason: (indicate hardship or practical difficulty)

See attached statement.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):

(Type or Print Name)

Signature

Address

City/State/Zip Code

How, address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

ORDERED by the Zoning Commissioner of Baltimore County, this 22nd day of July, 1991, that the subject matter of this petition be posted on the property on or before the 11th day of Aug., 1991.

ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED,

IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this 22nd day of July, 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 105, County Office Building in Towson, Baltimore County.



ZONING COMMISSIONER OF BALTIMORE COUNTY

ORDER RECEIVED FOR FILING

REVIEWED BY: _____ DATE: _____

Date

By

Joseph Peter Romano
1042 Kingsbury Road
Reisterstown, Md. 21136

ATTACHMENT TO PETITION FOR RESIDENTIAL VARIANCE

HARDSHIP

Due to the location of the existing dwelling on the lot, at an angle, it is a hardship to properly locate the addition of a garage, family room, dining room and bedroom to the existing dwelling.

The original record plat shows a 30' setback for the lots on the corner of Timber Grove Road at Kingsbury Road, but all other dwellings in the sub-division require only a 25' setback.

Strict compliance would render conformance unnecessarily burdensome to architectural design requiring me to delete the triangular portion.

ZONING DESCRIPTION

Beginning at a point on the south side of Kingsbury Road which is 50' wide at the distance of 140' west of the centerline of the nearest improved intersecting street, Timber Grove Road, which is 60' of right-of-way width wide. Being Southwest corner Lot #12 Section 3 Plat 2 in the subdivision of Suburbia as recorded in Baltimore County Plat Book 29, Folio 37, containing 8800 square feet or .2 acres. Also known as 1042 Kingsbury Road and located in the 4th Election District.

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date: 8/22/91
Account: R 001-6150
Number: 11200004

DESCRIPTION	QTY	PRICE
PUBLIC HEARING FEES	1	\$35.00
FOR ZONING VARIANCE (FILE)	1	\$25.00
FOR POSTING SIGNS / ADVERTISING	1	\$25.00
TOTAL:		\$85.00

LAST NAME OF OWNER: ROMANO

Please Make Check payable to Baltimore County \$60.00
BA 003146PH07-22-91

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/so presently reside at 1042 Kingsbury Road, Reisterstown, MD 21136 (Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty)

See Attached Statement

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a repeating and advertising fee and may be required to provide additional information.

Affiant (Handwritten Signature)

Affiant (Printed Name)

Affiant (Handwritten Signature)

Affiant (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of July, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Joseph Peter Romano

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

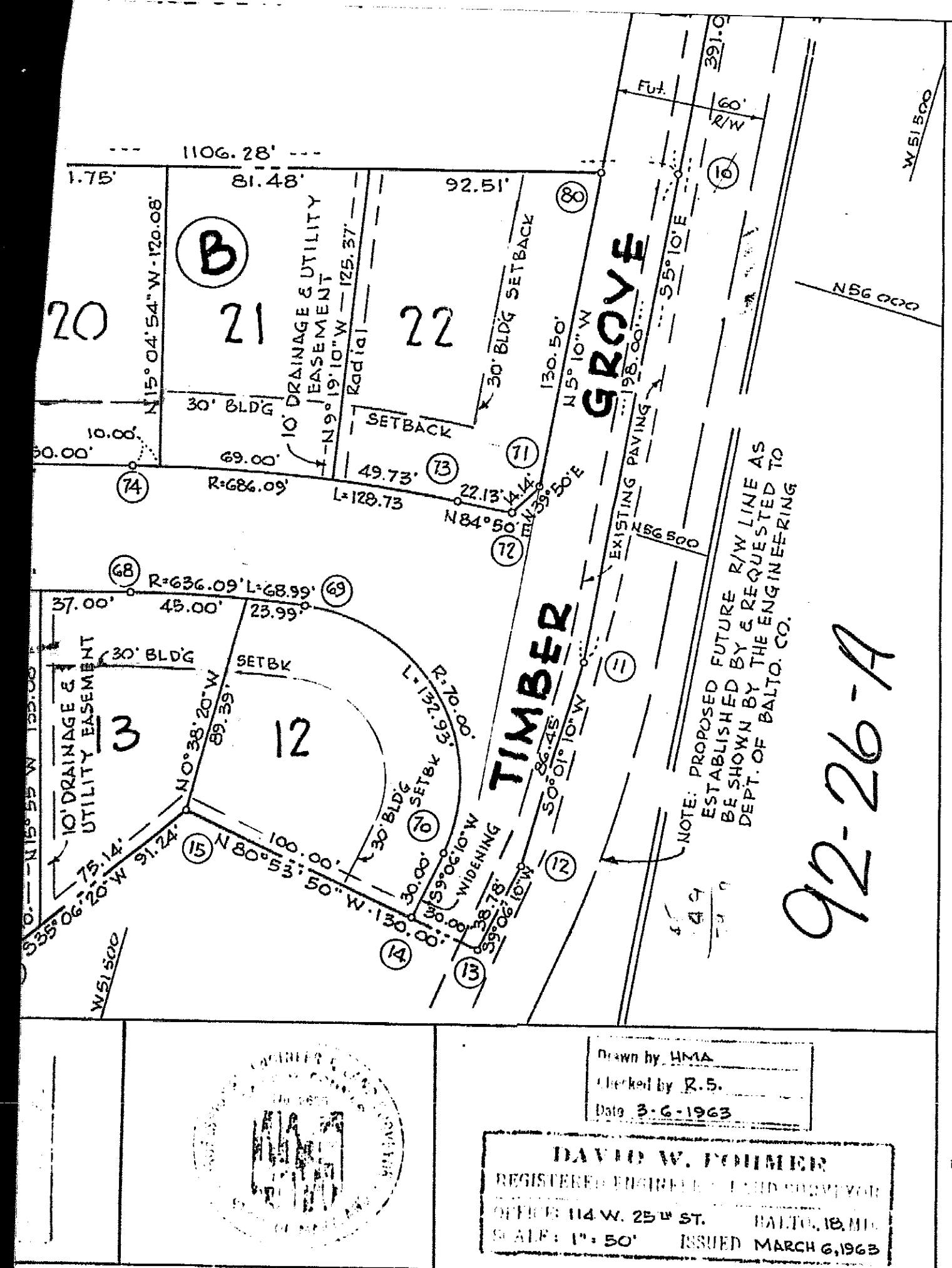
AS WITNESS my hand and Notarial Seal.

7/15/91

DATE

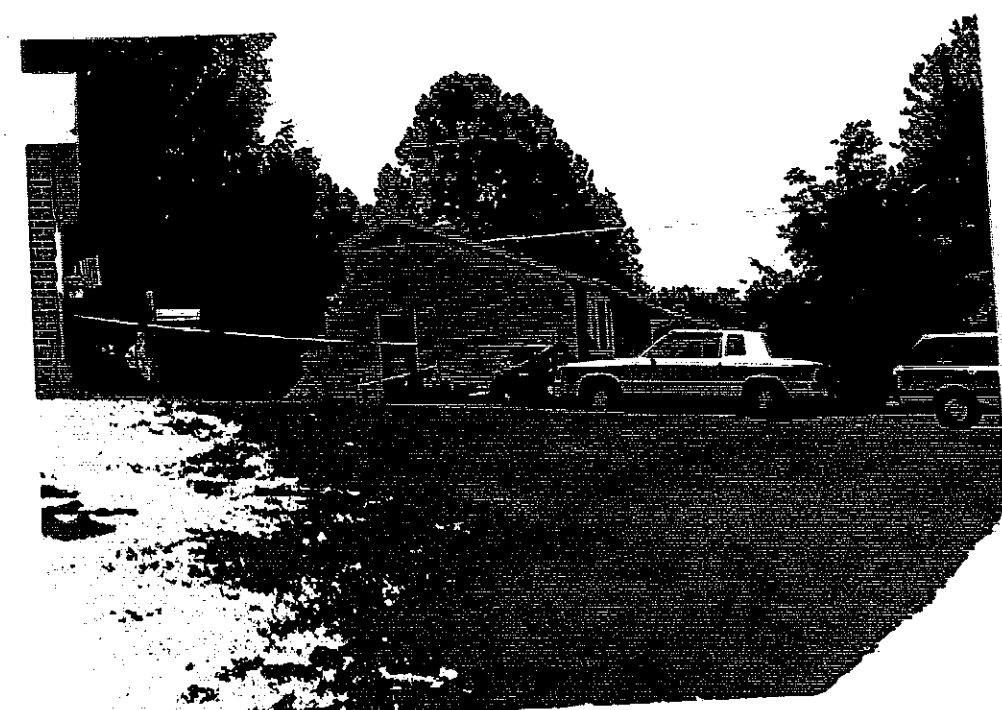
Notary Public

My Commission Expires: 4/1/95



18023
303.1
in lieu of maximum front setback required

CASE NUMBER 92-26-A
PETITIONER'S EXHIBIT # 3



Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
22th day of July, 1991.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:
Joseph P. Romano
Chairman,
Zoning Plans Advisory Committee

Petitioner: Joseph P. Romano
Petitioner's Attorney:

CASE NUMBER 92-26-A
PETITIONER'S EXHIBIT # 4



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: August 15, 1991
Zoning Administration and
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Joseph Peter Romano, Item No. 34

In reference to the Petitioner's request, staff offers no
comments.

If there should be any further questions or if this office can
provide additional information, please contact Jeffrey Long in the
Office of Planning at 887-3211.

PK/JL/pat
ITEM34/ZAC1

Rec'd 8/16/91
jw

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

August 1, 1991

887-3353

COPY

Joseph Peter Romano
1042 Kingsbury Road
Reisterstown, Maryland 21136

Re: CASE NUMBER: 92-26-A
LOCATION: 500 Timber Grove Road and Kingsbury Road
1042 Kingsbury Road

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case
number. Any contact made with this office should reference the case number. This letter also serves as a
refresher regarding the administrative process.

1) Your property will be posted on or before August 11, 1991. The closing date is August 26, 1991. The
closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing
date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will
issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) deem that the
matter be set in for a public hearing. You will receive written notification as to whether or not
your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the
Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers.
Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after
the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE
PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND
THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE
FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR
DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

G. S. Stephens
(301) 887-3391

Baltimore County Government
Fire Department



700 East Joppa Road, Suite 901
Towson, MD 21204-5500

(301) 887-4500

AUGUST 6, 1991

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: JOSEPH PETER ROMANO
Location: #1042 KINGSBURY
Item No.: *34 Zoning Agenda: AUGUST 6, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by
this Bureau and the comments below are applicable and required to be
corrected or incorporated into the final plans for the property.

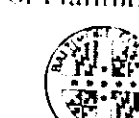
5. The buildings and structures existing or proposed on the site
shall comply with all applicable requirements of the National Fire
Protection Association Standard No. 101 "Life Safety Code", 1988
edition prior to occupancy.

REVIEWER: *Pat Keller* 8-7-91 Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/REK

Rec'd 8/7/91
jw

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

August 19, 1991

887-3353

Mr. Joseph P. Romano
1042 Kingsbury Road
Reisterstown, MD 21136

RE: Item No. 34, Case No. 92-26-A
Petitioner: Joseph P. Romano
Petition for Residential Variance

Dear Mr. Romano:

The Zoning Plans Advisory Committee has reviewed the plans submitted
with the above referenced petition. The following comments are not
intended to indicate the appropriateness of the zoning action
requested, but to assure that all parties are made aware of plans or
problems with regard to the development plans that may have a bearing
on this case. Director of Planning may file a written report with the
Zoning Commissioner with recommendations as to the suitability of the
requested zoning.

Enclosed are all comments submitted from the members of the Committee
at this time that offer or request information on your petition. If
similar comments from the remaining members are received, I will
forward them to you. Otherwise, any comment that is not informative
will be placed in the hearing file. This petition was accepted for
filing on the date of the enclosed filing certificate and a hearing
scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO
MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS
REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

Joseph P. Romano
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

August 28, 1991

Mr. Joseph P. Romano
1042 Kingsbury Road
Reisterstown, Maryland 21136

RE: Petition for Residential Zoning Variance
Case No. 92-26-A

Dear Mr. Romano:

Enclosed please find the decision rendered in the above captioned
case. The Petition for Residential Variance has been granted, in
accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please
be advised that any party may file an appeal within thirty (30) days of the
date of the Order to the County Board of Appeals. If you require
additional information concerning filing an appeal, please feel free to
contact our Appeals Clerk at 887-3391.

Very truly yours,

J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mmm
encl.
cc: Peoples Counsel

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: September 11, 1991

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

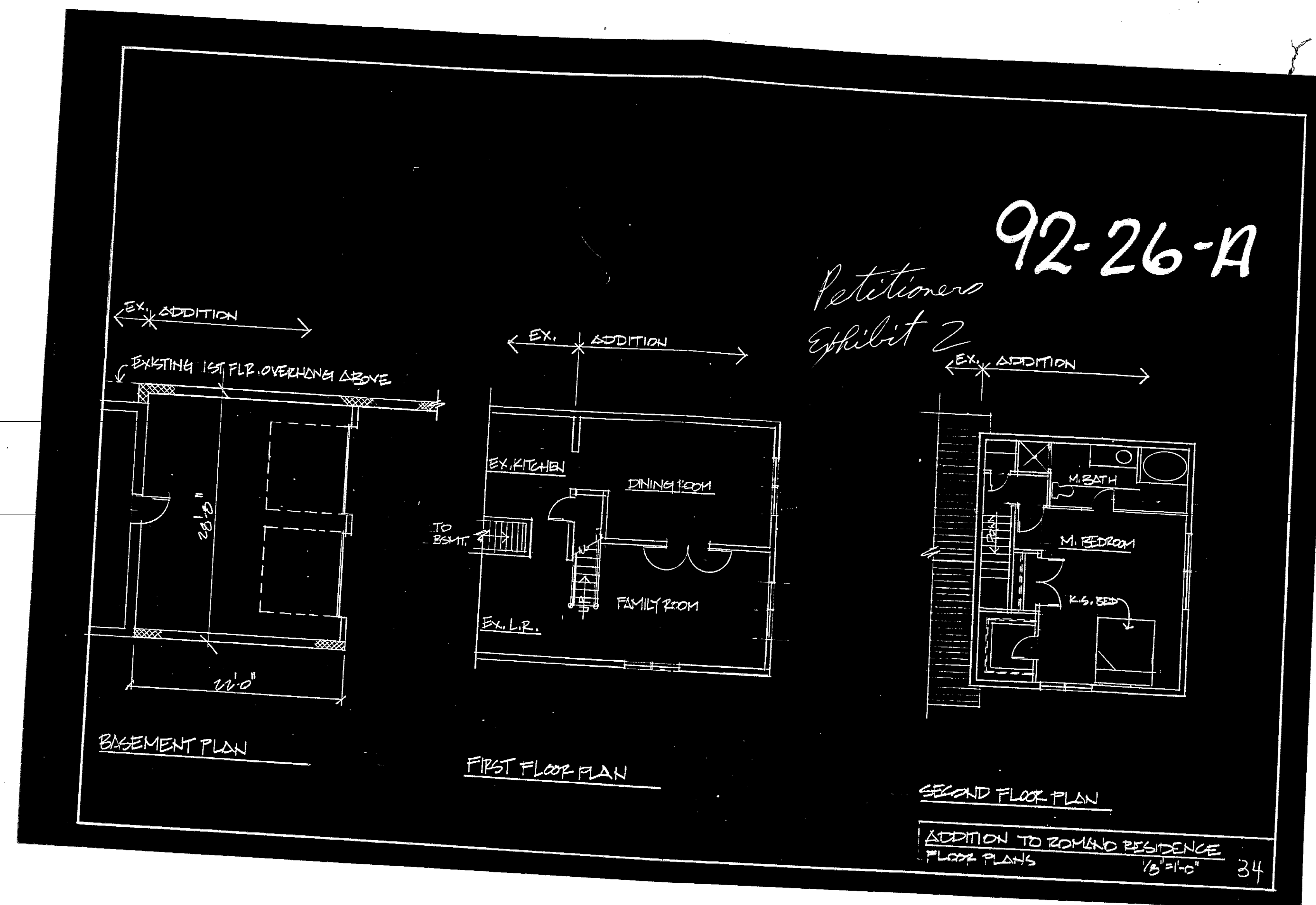
SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: August 6, 1991

This office has no comments for item numbers 25, 28, 32, 33, 34, 35, 39, 40, 42, 43 and 44.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF/lvd



CERTIFICATE OF POSTING 92-26-A
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

Date of Posting: August 6, 1991

District: 4th

Posted for: Variance

Petitioner: Joseph Peter Romare

Location of property: 1042 Kingsbury Road and Kingsbury Road

Location of Sign: In front of subject property, 1042 Kingsbury Road

Remarks: d. J. Anato

Posted by: d. J. Anato

Number of Signs: 1

Date of return: August 9, 1991

